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**TOWN OF EXETER
PLANNING BOARD
JANUARY 24, 2019
APPROVED MINUTES**

1. **CALL TO ORDER:** Session was called to order at 7:00 pm by Chair Plumer.

2. **INTRODUCTIONS**

Members Present: Chair Langdon Plumer, Don Clement, Select Board, Robin Tyner, Alternate, Nick Gray, Gwen English, Kelly Bergeron, John Grueter, Alternate, Jen Martel, Alternate,

Staff Present: Dave Sharples

Chair Plumer advised the alternate that would be voting for the first application would be Jen Martel.

3. **PUBLIC HEARINGS:**

A continued public hearing on the application of Anne C. Bushnell 2004 Trust for a multi-family site plan review for the proposed construction of a multi-family building containing nine (9) residential units and associated site improvements on the property located at 12 Front Street. The subject property is located in the C-1, Central Area Commercial zoning district, Tax Map Parcel #72-2. Case #18-12.

Cory Beldan appeared on behalf of the applicant to represent changes made since last appearing before the Board in December, 2018. Mr. Beldan indicated the driveway is no longer a thru way, a copy of the email is in the packet, the fire department had no issues. The landscaping was determined to be best suitable as lilac. There are six waivers, one has been revised. There is a revised utility sheet, split fire suppression.

Attorney Lyons spoke to the adjustment of homeowner's documents and stated he researched the language concerning two adults and one child under five and found it to be unconstitutional so there is no ability to do that. The documents have been amended to occupancy of only two persons per unit and will be contained, with assigned parking, in the deed of conveyance. Attorney Lyons will submit the final docs for review. Exhibit A, the property description is attached.

Mr. Sharples noted he provided the Board with a copy of the email indicated by Mr. Beldan concerning the Fire Department.

Chair Plumer indicated the active alternates on this hearing will be Ms. Martel and Ms. Tyner.

Mr. Grueter asked about the waivers concerning parking. Mr. Sharples indicated the builder has not been selected and may chose to build something else, such as fewer units with two bedrooms.

40 Mr. Grueter and Ms. English felt there was too much being squeezed into the space and
41 in the winter, trash removal may be difficult. Attorney Lyons stated he didn't know of any
42 condominium that didn't have a routine for moving cars in the morning for snow plowing.
43 The downtown area is consistent with the size of the parking spaces. Mr. Gray stated
44 the waivers are minor compared with preserving the historic building out front. Mr.
45 Clement stated in five years or so, they could go for a variance to develop that also.

46 Chair Plumer opened the hearing to the public at 7:45 and being none, closed the
47 hearing to the public for deliberations.

48 The first waiver was for working within 5' property line.

49 The second waiver was for roadway parameters.

50 The third waiver is for parking within 25' of the building.

51 The fourth waiver is for recreational space. There is a park nearby and downtown is
52 suitable for walking.

53 The fifth waiver is for parking size which will be 18.5'x8.5'.

54 **Ms. Bergeron moved to approve the request for waiver of Article 9.5.1.4 of the Site**
55 **Plan Review and Subdivision Regulations for working within five feet of the**
56 **property line. Ms. Martel seconded the motion. Voting in favor were: Chair**
57 **Plumer, Ms. Martel, Ms. English, Ms. Tyner, Ms. Bergeron. Opposed were: Mr.**
58 **Grueter. Abstaining was Mr. Clement. So moved.**

59 **Ms. Bergeron moved to approve the request for waiver of Article 9.7.10 of the Site**
60 **Plan Review and Subdivision Regulations. Ms. Martel seconded the motion.**
61 **Voting in favor were: Chair Plumer, Ms. Martel, Ms. Bergeron, Ms. English, Ms.**
62 **Tyner, and Mr. Grueter. Abstaining was Mr. Clement. So moved.**

63 **Ms. Bergeron moved to approve the request for waiver of Article 11.3.4 of the Site**
64 **Plan Review and Subdivision Regulations. Ms. Martel seconded the motion.**
65 **Voting in favor were: Chair Plumer, Ms. Martel, Ms. Bergeron, Ms. English, Ms.**
66 **Tyner. Opposed was Mr. Grueter. Abstaining was Mr. Clement. So moved.**

67 **Ms. Bergeron moved to approve the request for waiver of Article 5.6c of the Site**
68 **Plan Review and Subdivision Regulations. Ms. Martel seconded the motion.**
69 **Voting in favor were: Chair Plumer, Ms. Martel, Ms. Bergeron, Ms. Tyner.**
70 **Opposed were Ms. English and Mr. Grueter. Abstaining was Mr. Clement. So**
71 **Moved.**

72 Mr. Sharples read out loud the conditions for approval.

73 1. A dwg file of the plan shall be provided to the Town Planner showing all property lines and
74 monumentation prior to signing the final plans. This plan must be in NAD 1983 State Plane
75 New Hampshire FIPS 2800 Feet coordinates.

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77 2. All monumentation shall be set prior to the issuance of the first Certificate of Occupancy;
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3. A preconstruction meeting shall be arranged by the applicant and his contractor with the Town engineer prior to any site work commencing. The following must be submitted for review and approval prior to the preconstruction meeting:
 - i. The SWPPP (storm water pollution prevention plan), if applicable, be submitted to and reviewed for approval by DPW prior to preconstruction meeting.
 - ii. A project schedule and construction cost estimate.
 4. All comments in the November Underwood Engineer Inc. review letter and the letter from Jen Mates dated October 24, 2018 and the TRC letter dated October 15, 2018 shall be addressed to the satisfaction of the Town Planner prior to signing the final plans;
 5. All appropriate fees to be paid including but not limited to: sewer/water connection fees, impact fees, and inspection fees prior to the issuance of a building permit;
 6. A Maintenance Log and Inspection & Maintenance Checklist for all onsite stormwater management systems shall be provided to the satisfaction of the Town Planner prior to signing the final plans. A completed log and checklist shall be submitted to the Town Engineer annually on or before January 31st. This requirement shall be an ongoing condition of approval and noted in the Home Owner's Association by-laws;
 7. All applicable State permit approval numbers shall be noted on the final plans;
 8. All condominium documents (including the Declaration and By-laws) shall be submitted to the Town Planner for review and approval prior to signing the final plans. In the event the Town Planner deems that review is needed by the Town attorney, this review shall be at the applicant's expense;
 9. If determined applicable by the Exeter Department of Public Works, the applicant shall submit the land use and stormwater management information about the project using the PTAPP Online Municipal Tracking Tool (<https://ptapp.unh.edu/>). The PTAPP submittal must be accepted by DPW prior to the pre-construction meeting;
 10. A performance surety, in an amount and form reviewed and approved by the Town Planner in accordance with Section 12 of the Site Plan Review and Subdivision Regulations, shall be provided to insure all common area improvements are secured prior to any unit being transferred; and,
 11. A restoration and erosion control surety, in an amount and form reviewed and approved by the Town Planner in accordance with Section 12 of the Site Plan Review and Subdivision Regulations, shall be provided; and
 12. All of the proposed units shall be occupied and used as single bedroom units as set forth in Article 8. Use Restrictions of the Preliminary Draft of the Restated Bylaws for 12 Front Street Condominium, Exhibit B, and revised January 15, 2019.

126 **Ms. Bergeron moved to approve Case #18-12 with the conditions stated above.**
127 **Ms. Martel seconded the motion. Voting in favor were: Chair Plumer, Ms.**
128 **Bergeron, Ms. Martel, Ms. English, Ms. Tyner. Opposed were Mr. Grueter.**
129 **Abstaining was Mr. Clement. So moved.**

130 A continued public hearing on the application of Salema K.I.D.S. Realty Ventures LLC
131 for a commercial site plan review and Shoreland Conditional Use Permit (CUP) for the
132 proposed construction of a 6,860 square foot commercial building consisting of a 1,840
133 s.f. donut shop with drive-thru window and 5,020 s.f. of retail space and associated site
134 improvements on a 5.68-acre parcel located at 159 Epping Road. The subject property
135 is located in the C-3, Epping Road Highway Commercial zoning district, Tax Map Parcel
136 #47-9.02. Case #18-17.

137 Mr. Sharples reviewed the application which initially was for 7001 sf of commercial, 1900
138 shopping, 5070 retail. This has been to the TRC in November and to a traffic engineer
139 for review which Mr. Sharples recommended the applicant work with on the left turn from
140 Route 27.

141 The wetland buffer impact and number of parking spaces have been reduced to 35
142 spaces and 10,000 feet of impact.

143 Ms. Martel asked the relationship of the Dunkin Donut's location down the street – there
144 will not be two open.

145 Ms. Tyner asked the value of the 50' strip? Mr. Clement explained that when developing
146 Epping Road they not only wanted to have an attractive visual green space but the
147 applicant advised the design will assist in the direction of stormwater runoff.

148 Chair Plumer asked about the moving of the dumpster and whether it will be screened.
149 Conservation did not want it in the buffer area. It will be screened with arborvitae.

150 Ms. English opined that she was concerned with repeated requests for small portions of
151 wetlands impact citing concerns with water quality. Mr. Clement advised the value of the
152 buffer needs to be weighed against concerns that can't be mitigated.

153 Ms. Martel asked about the parcel being brought forward rather than encroaching in the
154 buffer which the applicant responded would minimize the treatment of the stormwater
155 runoff to the front and the side.

156 Ms. Martel asked that the 75' wetland buffer be shown on the plan, whether the applicant
157 has returned to Conservation after moving the dumpster and about the number of
158 parking spaces. The applicant voiced concerns about being able to have adequate
159 parking for customer as well as being able to rent out the retail areas without adequate
160 parking which has been a problem in the past. Mr. Sharples recommended not planning
161 the parking spaces for the retail until it was known who would occupy the space and the
162 number of spaces they require.

163 The third lane for pick up of orders placed ahead was questioned. The applicant
164 advised this is something new and they don't know much about it. Ms. English asked if
165 the concern could be brought to the attention of corporate.

166 Chair Plumer recommended a site walk for February 7, 2019 at 8:30 am.

167 Ms. Martel asked why Dunkin Donuts needed to pair with two other things. The
168 applicant responded that the price to purchase the land and improvements make it
169 necessary, it wouldn't work otherwise.

170 Ms. English requested the Site plan graphics be improved to show the wetlands better
171 and the stream behind the building.

172 Mr. Sharples recommended tabling the matter until February 28th to discuss the
173 dumpster location, the unknown parking and concerns about the third drive-thru lane.

174 ***Ms. English moved to continue Case #18-17 to February 28, 2019. Ms. Martel***
175 ***seconded the motion, with all in favor, so moved.***

176 The application of Jeff Caley for a multi-family site plan review of a proposed conversion
177 of a single-family residence into three residential units. The subject property is located
178 at 20 Pine Street, in the R-2, Single Family residential zoning district, Tax Map Parcel
179 #83-65. Case #18-21.

180 The applicant has the required number of parking spaces and Special Exception from
181 the ZBA, the lot is fully landscaped and there will be minimal exterior changes with
182 plenty of area for a plow to turn around, 44' for garage and 12' for driveway.

183 ***Ms. Bergeron moved to approve the request of Case #18-21 for multi-family***
184 ***conversion. Ms. Martel seconded the motion, with all in favor, and none opposed,***
185 ***motion passes unanimously. Mr. Gray abstained from voting.***

186 **4. OTHER BUSINESS**

187 Mr. Gray stated he will have conflicts due to business travel over the next month.

188 Slania Enterprises Inc. – Case #21422 Request for extension of site plan approval for
189 development at 29 Front Street (TM #72-220)

190 Chair Plumer indicated this was for a standard twelve-month extension until December 31,
191 2019 and this would be the second such extension.

192 ***Mr. Grueter motioned to grant an extension to Slania Enterprises, Inc., Case #21422***
193 ***for site plan approval for development at 29 Front Street. Ms. Tyner seconded the***
194 ***motion, with all in favor, so moved.***

195 **5. FIELD MODIFICATIONS:**

196 Mr. Sharples stated he had two, one for the Rinks who are utilizing a small footprint and he
197 has had discussions with the Epping Road Community who have minor changes.

198 **6. ADJOURNMENT:**

199 ***Ms. Martel motioned to adjourn the meeting. Mr. Clement seconded the motion, with***
200 ***all in favor, so moved.***

201 The meeting was adjourned at 9:50 pm.

202

203 Respectfully submitted,

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207 Daniel Hoijer,

208 Recording Secretary